

04/27/05

DAC

Based on PTO/SB/64 (11-03)

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

 Docket Number (Optional)
UBAT1300

First named inventor: William B. Dress, Jr.

Application No.: 09/671,636

Group Art Unit: 2634

Pathak,

Filed: September 27, 2000

Examiner: Sudhanshu C.

Title: HYBRID SPREAD-SPECTRUM TECHNIQUE FOR EXPANDING
CHANNEL CAPACITY
 Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Note: If information or assistance is needed in completing this form, please contact Petitions information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)).
Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity-fee \$ 1500.00 (37 CFR 1.17(m)).

2. Reply and/or fee
A. The reply and/or fee to the above-noted Office Action in

 Reply to office action mailed May 6, 2004;
Request for RCE; and Notification of

 the form of extension of time (identify the type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

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1500.00 OP

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see (PTO/SB/63)).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

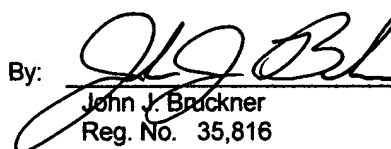
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3204. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated:

April 26, '05

By:



John J. Bruckner
Reg. No. 35,816
John Bruckner PC
5708 Back Bay Lane
Austin, TX 78739

Telephone 512-394-0118

Enclosures:

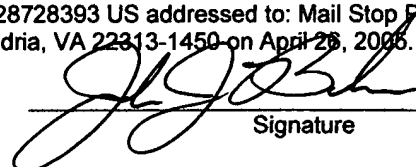
- ☒ Check in the amount of \$ 1500 + 1020 + 790
- ☒ Reply to office action mailed May 6, 2004; Request for RCE
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Notification of extension of time

CERTIFICATE OF (EXPRESS) MAILING OR TRANSMISSION (37 CFR 1.8(a) or 1.10)

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.
- ☒ deposited with the United States Postal Service as Express Mail Post Office to Addressee in an envelope bearing Express Mail mailing label number ED 728728393 US addressed to: Mail Stop Petition, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on April 26, 2005.

April 26, '05
Date



Signature

John J. Bruckner

Type or print name of person signing certificate